

## NEIGHBORHOOD PLAN AMENDMENT REVIEW SHEET

**NEIGHORHOOD PLAN:** Upper Boggy Creek Neighborhood Plan

**CASE#:** NPA-2011-0012.01      **Date Filed:** July 28, 2011 (In-cycle)

**PC DATE:** May 22, 2012  
March 27, 2012  
February 28, 2012  
January 24, 2012

**ADDRESS/ES:** 4020 Airport Blvd.

**SITE AREA:** Approx. 2.79 acres

**APPLICANT/AGENT:** Jim Bennett Consulting (Jim Bennett)

**OWNER:** Airport Boulevard Trust (Betty Terrell)

**TYPE OF AMENDMENT:**

**Change in Future Land Use Designation**

**From:** Mixed Use/Office

**To:** Mixed Use

**Base District Zoning Change**

**Related Zoning Case:** C14-2011-0085 (CP)

**From:** LO-V-NP

**To:** GR-V-NP

**Restrictive Covenant Termination:** C14-83-307 (RCT)

**NEIGHBORHOOD PLAN ADOPTION DATE:** August 1, 2002

**PLANNING COMMISSION RECOMMENDATION:** On May 22, 2012, the motion to approve staff's recommendation for Neighborhood Mixed Use, was approved by Commissioner Alfonso Hernandez's motion, Commissioner Richard Hatfield seconded the motion on a vote of 9-0.

**Previous Actions:**

On **January 24, 2012**, the motion to postpone to February 28, 2012 by the request of staff, was approved on the consent agenda by Commissioner Danette Chimenti's motion, Commissioner Jean Stevens seconded the motion on a vote of 8-0; Commissioner Sandra Kirk was absent.

On **February 28, 2012**, the motion to postpone to March 27, 2012 by the request of staff, was approved on the consent agenda by Commissioner Saundra Kirk's motion, Commissioner Richard Hatfield seconded the motion on a vote of 9-0.

On **March 27, 2012**, the motion to postpone to May 22, 2012 by the request of staff, was approved on the consent agenda by Commissioner Mandy Dealey's motion, Commissioner Donna Tiemann seconded the motion on a vote of 8-0; Commissioner Alfonso Hernandez was absent.

**STAFF RECOMMENDATION:** Staff recommends Neighborhood Mixed Use land use, which is appropriate for this narrow tract adjacent to residential uses.

The recommended land use meets the following Goals, Objectives, and Recommendations:

## **UPPER BOGGY CREEK NEIGHBORHOOD PLAN VISION**

*The Upper Boggy Creek Neighborhood Planning Area seeks to be an attractive, human-scaled, pedestrian- and cyclist-oriented group of neighborhoods. The neighborhoods also seek to limit commercial encroachment into residential areas, reduce the negative effects of traffic, enhance the physical and environmental beauty, and preserve and enhance the existing unique character of each distinct neighborhood.*

### **Goal One COMMUNITY CHARACTER**

*Preserve the character of each neighborhood in the Upper Boggy Creek Neighborhood Planning Area.*

**Objective 1.1:** Commercial or institutional uses adjacent to residential uses in the Upper Boggy Creek Neighborhood Planning Area should be complementary and compatible in scale. For example, the University of Texas should be encouraged to meet with the affected neighborhood associations when designing or expanding their facilities.

## **Goal Two LAND USE**

*Ensure that the new businesses and commercial development within the Upper Boggy Creek Neighborhood Planning Area is neighborhood-appropriate, neighborhood-scaled, neighborhood-friendly, and serves the nearby neighborhoods.*

Commercial development in the established residential areas is discouraged and new commercial development and redevelopment should be focussed on the planning area's commercial corridors. Property currently zoned for single or multi-family development should not be changed to allow for commercial uses unless those locations are designated as mixed-use. Commercial uses will remain along the existing commercial corridors. Those that are neighborhood-friendly and neighborhood-compatible, and offer convenient access to pedestrians and bicyclists are welcome along the less intensive commercial corridors in the planning area—Manor Road, East 38<sup>th</sup> ½ Street, and MLK Boulevard.

Commercial uses that serve a broader range than the adjacent neighborhoods will be located on the boundaries of the Upper Boggy Creek Neighborhood Planning Area. These locations include along Airport Boulevard south of Schieffer Avenue, the Delwood Shopping Center, and to a lesser degree along the IH-35 frontage road between 26<sup>th</sup> Street/Dean Keeton Street and East 38<sup>th</sup> ½ Street.

### **AIRPORT BOULEVARD CORRIDOR**

**Objective 2.9:** From north to south, the land uses along the western side of Airport Boulevard slowly transitions from residential to more intense commercial uses. This land use pattern should continue.

(NPZD)

**Action Item 19.** Rezone the commercially-zoned property located between Schieffer Avenue and 40<sup>th</sup> Street from Limited Office (LO) to Neighborhood Commercial (LR). Allow the Neighborhood Mixed-Use Building and mixed use overlay and prohibit the following use:

#### **Prohibited Uses**

Service Station

Drive-in Services Accessory use

(NPZD)

**Staff Analysis:** The Upper Boggy Creek Neighborhood Plan supports the rezoning of this property to LR – Neighborhood Commercial as stated in Action Item 19 above. The property is located on a major arterial divided six-lane roadway and a future core transit corridor where commercial uses are appropriate. The Neighborhood Mixed Use land use and the Neighborhood Commercial zoning is an appropriate intensity for the property's proximity to the residential uses to the west. See the land use definition for Neighborhood Commercial below:

**Neighborhood Commercial** (Staff's recommendation)

Lots or parcels containing small-scale retail or offices, professional services, convenience retail, and shopfront retail that serves a market at a neighborhood scale.

***Purpose***

- Accommodate low-intensity commercial services that serve surrounding neighborhoods; and
- Encourage small-scale retail within walking distance from residential areas.

***Application***

- Appropriate for areas such as minor arterials and collectors, small parcels along major arterials that abut single-family residential development, and areas in environmentally sensitive zones where high intensity commercial uses are discouraged; and
- May be used to encourage high intensity commercial to transition to residential uses.

**Mixed Use** (Applicant's request)

***Mixed Use***

An area that is appropriate for a mix of residential and non-residential uses.

***Purpose***

- Encourage more retail and commercial services within walking distance of residents;
- Allow live-work/flex space on existing commercially zoned land in the neighborhood;
- Allow a mixture of complementary land use types, which may include housing, retail, offices, commercial services, and civic uses (with the exception of government offices) to encourage linking of trips;
- Create viable development opportunities for underused center city sites;
- Encourage the transition from non-residential to residential uses;
- Provide flexibility in land use standards to anticipate changes in the marketplace;
- Create additional opportunities for the development of residential uses and affordable housing; and
- Provide on-street activity in commercial areas after 5 p.m. and built-in customers for local businesses.

***Application***

- Allow mixed use development along major corridors and intersections;
- Establish compatible mixed-use corridors along the neighborhood's edge
- The neighborhood plan may further specify either the desired intensity of commercial uses (i.e. LR, GR, CS) or specific types of mixed use (i.e. Neighborhood Mixed Use Building, Neighborhood Urban Center, Mixed Use Combining District);
- Mixed Use is generally not compatible with industrial development, however it may be combined with these uses to encourage an area to transition to a more complementary mix of development types;

- The Mixed Use (MU) Combining District should be applied to existing residential uses to avoid creating or maintaining a non-conforming use; and
- Apply to areas where vertical mixed use development is encouraged such as Core Transit Corridors (CTC) and Future Core Transit Corridors.

## LAND USE PLANNING PRINCIPLES

***The property fronts onto Airport Blvd, which is busy commercial corridor where one could find Neighborhood Mixed Use land use with residential adjacency. The property is also directly across the street from the mixed use Mueller Development.***

- Ensure that the decision will not create an arbitrary development pattern;
- Avoid creating undesirable precedents;
- Consider infrastructure when making land use decisions;
- Ensure similar treatment of land use decisions on similar properties;

***Neighborhood Mixed Use would allow for residential uses, in addition to neighborhood-serving commercial uses.***

- Ensure an adequate and diverse supply of housing for all income levels;

***Neighborhood Mixed Use is designed for residential adjacency.***

- Ensure adequate transition between adjacent land uses and development intensities;
- Ensure neighborhood businesses are planned to minimize adverse effects to the neighborhood;
- Discourage intense uses within or adjacent to residential areas;
- Minimize negative effects between incompatible land uses;
- Promote development that serves the needs of a diverse population.

***Development of the property could provide job opportunities for the area.***

- Promote expansion of the economic base and create job opportunities;
- Recognize current City Council priorities;

***The plan amendment request supports the Upper Boggy Creek Neighborhood Plan goals.***

- Balance individual property rights with community interests and goals;

***Developed property often has better water quality than undeveloped land once detention/retention ponds and other water quality features are added.***

- Minimize development in floodplains and environmentally sensitive areas;
- Promote goals that provide additional environmental protection;

***These land use principles are not directly applicable to the plan amendment request.***

- Protect and promote historically and culturally significant areas;
- Recognize suitable areas for public uses, such as hospitals and schools that will minimize the impacts to residential areas;

- Consider regulations that address public safety as they pertain to future developments (e.g. overlay zones, pipeline ordinances that limit residential development);

**BACKGROUND:** The application was filed on July 28, 2011, which is in-cycle for City Council-approved neighborhood planning areas located on the east side of I.H.-35.

Due to the turn-over for agents representing the property owner and the controversial nature of the case, the discussion of the cases at Planning Commission has been postponed numerous times.

The plan amendment request is to change the future land use map from Mixed Use/Office to Mixed Use.

In the associated zoning case (C14-2011-0085) the applicant requests a change in zoning from LO-V-NP to GR-V-NP. There is also a restrictive covenant termination request (C14-83-307 (RCT)). The details of these cases will be presented in the zoning case report.

**COMMUNITY MEETING:** The ordinance-required plan amendment meeting was held on March 19, 2012. Approximately 228 notices were mailed to property and utility account holders located within 500 feet of the property, in addition to neighborhood organizations and environmental groups registered on the Community Registry. Approximately 36 people attended the meeting in addition to three city staff members.

After Jim Bennett's brief presentation, the following questions were asked:

**Q. Does the owner have elaborate plans for the property?**

A. There are no plans for the property at this time. The property is on the market for a potential owner to develop. The first process is the zoning, then the site plan, then the building permit process. The person who purchases the property will submit a site plan for city approval.

**Q. What is the justification for requesting GR- Community Commercial zoning when LO – Limited Office offers many uses?**

A. Vertical Mixed Use (V) was added in 2010. The property was rezoned to LO during the neighborhood planning process. The property has been undeveloped for many years, we believe because the restrictive covenant is too limited for it to be viably developed.

**Q. The lot is long and narrow. With 90% impervious cover it could negatively affect the neighborhood with water run-off.**

A. If the property is rezoned, during the site planning process an engineer survey will be conducted to determine the water run-off so an effective detention/retention pond can be constructed. Sometimes water run-off can be improved for surrounding neighborhoods when a property is developed.

**Q. How will the restrictive covenant be addressed if it is not changed, but it conflicts with the Commercial Design Standards?**

A. We are still researching this with the City's Law Department.

**Q. Could the surrounding property owners sign-off on the restrictive covenant?**

A. The applicant is requesting the existing RC be terminated and a new one could be approved.

**Q. Will there be traffic studies? The neighborhood has many children and the commercial development of the property could increase car traffic on our residential streets.**

A. The property owner has agreed to a maximum of 2000 trips a day, so a Traffic Impact Analysis will not be needed.

**Q. How can you address cut-through traffic?**

A. We could prohibit a driveway on Scheffer Street to the property.

**Q. Does the valid petition carry any weight?**

A. Yes, for the zoning case. A valid petition does not apply to the plan amendment case.

**Q. Vineland Street is directly to the west of the property. The people who live here are concerned with tall commercial buildings on the property.**

A. The setbacks required by the Compatibility Standards required by the Development Code will protect the adjacent houses.

**Q. How much will the property owner sell the land for?**

A. We don't know until/if the property is rezoned.

**Q. How much did the owner pay for the land?**

A. The owner paid \$350,000 as part of a retirement portfolio investment.

In general, the tenor of the discussion from attendees was for the property to either remain undeveloped as a City park, or for the property to keep the existing zoning of LO-V-NP with the existing restrictive covenant. Major concerns were the impact of an intense commercial development on the single family homes directly to the west and of the potential for cut-through traffic on the residential streets near the development.

As of June 18, 2012, no official letter of support or opposition has been submitted by the Upper Boggy Creek Planning Contact Team.

A letter from the Cherrywood Neighborhood Association starts on page 51 of this report.

**CITY COUNCIL DATE:** June 28, 2012

**ACTION:** (pending)

**CASE MANAGER:** Maureen Meredith

**PHONE:** 974-2695

**EMAIL:** maureen.meredith@austintexas.gov





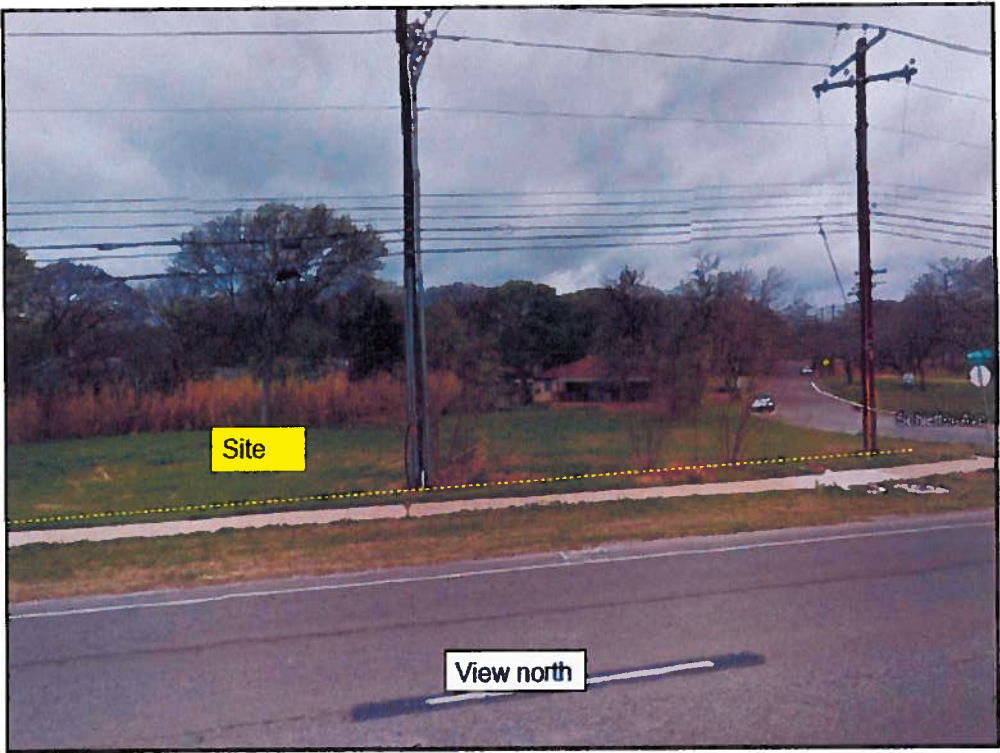


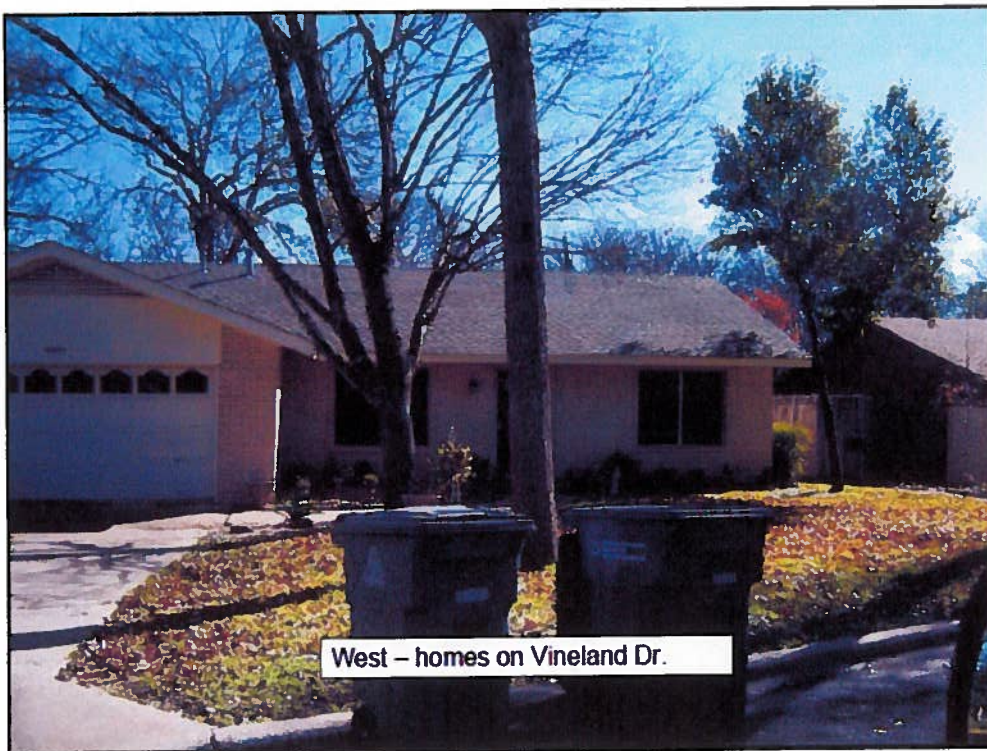




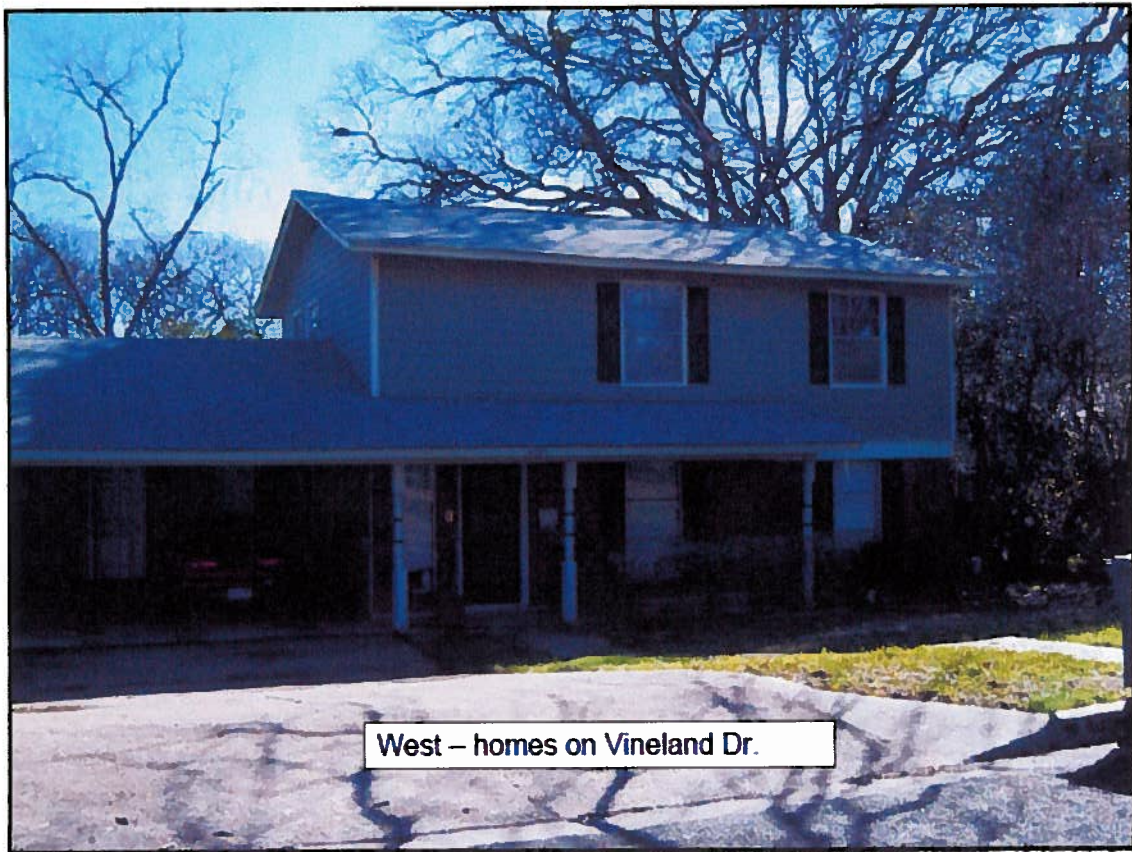












## PUBLIC HEARING COMMENT FORM

If you use this form to comment, it may be submitted to:

City of Austin

Planning and Development Review Department

974-2695

P. O. Box 1088

Austin, TX 78767-8810

RECEIVED  
1/24/12

If you do not use this form to submit your comments, you must include the name of the body conducting the public hearing, its scheduled date, the Case Number and the contact person listed on the notice in your submission.

Case Number: NPA-2011-0012.01

Contact: Maureen Meredith, (512) 974-2695

Public Hearing: Jan 24, 2012, Planning Commission

Your Name (please print)

EARL BURG

☐ I am in favor  
☐ I object

Your address(es) affected by this application

Earl Burg 4007 Viveland Dr

1-16-12

Signature

Date

Comments:

hrs of use is  
a problem for Resident  
if it goes commercial,  
Please leave office.



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Case Number: NPA-2011-0012.01  
Contact: Maureen Meredith, (512) 974-2695  
Public Hearing: Jan 24, 2012, Planning Commission

Stephen Dock

Your Name (please print)

1803 E. 40th St

Your address(es) affected by this application

☐ I am in favor  
☒ I object

[Signature]

Signature

1/19/12

Date

Comments:

There would be serious traffic  
problems with any commercial  
or mixed use development

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Case Number: NPA-2011-0012.01  
Contact: Maureen Meredith, (512) 974-2695  
Public Hearing: Jan 24, 2012, Planning Commission

Brian Graham-Moore  
Your Name (please print)

1817 E 40th St  
Your address(es) affected by this application

☐ I am in favor  
☒ I object

Brian Graham-Moore  
Signature

1-14-12  
Date

The proposed amendment to change the zoning of 4020 Airport Blvd cannot be completed until there is 1) an environmental impact study and a 2) traffic study.

1) The creek between the property and the homeowners is prone to overflowing when daily rain totals exceed 5 inches. It still appears that the culvert connected to this creek gets drainage from Mueller across the street. Channeling of this creek has been attempted by the City but it starts at 40th St. All of the Vineland properties are subject to flooding from this creek. If the City would consider more channeling, it would decrease the chances of flooding and erosion. Commercial zoning would have to include considerable paving for parking, thus increasing runoff from this property.

2) Commercial zoning will add to the traffic already being handled by Airport Blvd. Probably a stoplight at Schieffer would be necessary. Any commercial activity at 4020 Airport Blvd will likely increase traffic on 40th St and Vineland Dr. It would probably increase parking on these quiet streets. This is a residential area of mostly single family homes.

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City of Austin  
Planning and Development Review Department  
974-2695  
P. O. Box 1088  
Austin, TX 78767-8810

*Rec'd*  
*3/19/12*

If you do not use this form to submit your comments, you must include the name of the body conducting the public hearing, its scheduled date, the Case Number and the contact person listed on the notice in your submission.

Case Number: NPA-2011-0012.01  
Contact: Maureen Meredith, (512) 974-2695  
Public Hearing: Jan 24, 2012, Planning Commission

Your Name (please print) *Lillian C. Potter*

*4005 Brookview*

Your address(es) affected by this application

*Lillian C. Potter*

Signature

☐ I am in favor  
☒ I object

*Mar. 19, 2012*

Date

Comments: *This project will increase traffic in the neighborhood, especially on Airport Blvd and Schaeffer. The traffic will endanger foot traffic in the neighborhood. Some of the businesses that locate there may not be appropriate for a family area. The noise level from traffic will be increased. It's already very high.*

# PUBLIC HEARING COMMENT FORM

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Planning and Development Review Department  
974-2695

P. O. Box 1088  
Austin, TX 78767-8810

**RECEIVED**  
R/24/12

If you do not use this form to submit your comments, you must include the name of the body conducting the public hearing, its scheduled date, the Case Number and the contact person listed on the notice in your submission.

Case Number: NPA-2011-0012.01

Contact: Maureen Meredith, (512) 974-2695

Public Hearing: Jan 24, 2012, Planning Commission

Vivian Joseph  
Your Name (please print)

☐ I am in favor  
☒ I object

Your address(es) affected by this application

Vivian Joseph  
Signature

Date

Comments: This property backs up to 14 homes.  
It is not a good idea to have the property  
be used for anything other than a home.

The change to commercial would  
leave the property open to all kind of  
business that would be detrimental  
to the neighborhood. There are money wise  
homes that would be affected by this change.  
I strongly oppose this Amendment.

# PUBLIC HEARING COMMENT FORM

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Planning and Development Review Department  
974-2695

P. O. Box 1088  
Austin, TX 78767-8810

**RECEIVED**  
R/3/20/12

If you do not use this form to submit your comments, you must include the name of the body conducting the public hearing, its scheduled date, the Case Number and the contact person listed on the notice in your submission.

Case Number: NPA-2011-0012.01

Contact: Maureen Meredith, (512) 974-2695

Public Hearing: Jan 24, 2012, Planning Commission

Dawn + Doug Savics  
Your Name (please print)

☐ I am in favor  
☒ I object

Your address(es) affected by this application

4016 Crescent Dr. 78722  
Signature

Date

Comments:



**PUBLIC HEARING COMMENT FORM**

If you use this form to comment, it may be submitted to:

City of Austin

Planning and Development Review Department

974-2695

P. O. Box 1088

Austin, TX 78767-8810

**RECEIVED**  
1/24/2012

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Case Number: NPA-2011-0012.01

Contact: Maureen Meredith, (512) 974-2695

Public Hearing: Jan 24, 2012, Planning Commission

**MITCH PRYOR**

Your Name (please print)

**2204 TOM MILLER ST.**

Your address(es) affected by this application

☐ I am in favor  
☒ I am object

**JAN 20, 2012**

Date

Signature

Comments: I oppose the change to  
commercial as no site plan or  
other presentation on the intended  
use has been presented.  
I am concerned about anything  
that cannot abide the current  
zoning designation which seems  
reasonable for its size and location

**From:** Ryan Steglich  
**Sent:** Thursday, February 09, 2012 4:20 PM  
**To:** Meredith, Maureen  
**Cc:** David Boston  
**Subject:** 4020 Airport - Neighborhood Position

Maureen,

I wanted to share with you a presentation of the concerns the neighborhood has with the 4020 Airport rezoning request for you to share with city staff as they are working on a recommendation for the commission. This presentation is still a work in progress, but has some important information for staff to consider in making their recommendation. Please confirm you received this and will share with staff and contact me if you have further questions. I look forward to meeting you at the neighborhood discussion you will be hosting on this. Please keep me informed of the dates as I will gladly attend.

Thanks,

Ryan Steglich  
4008 Vineland Dr.  
512.983.6196

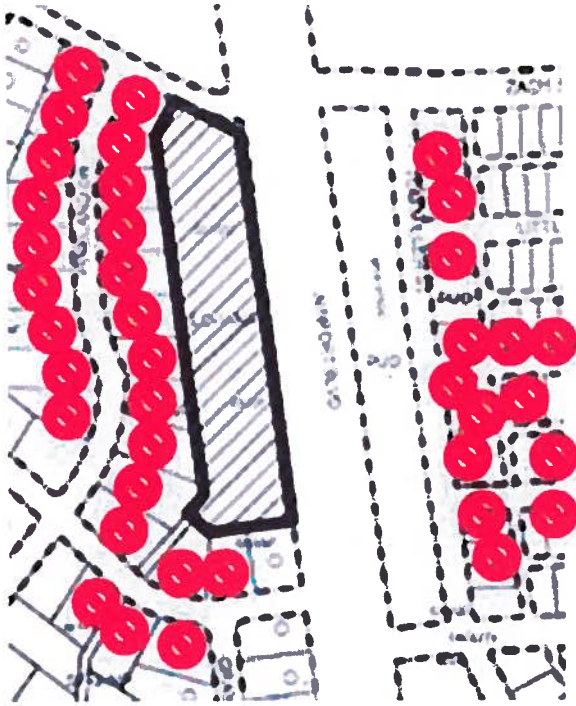
## 4020 Airport

### **Points of Opposition to Removing Restrictions and/or Changing Zoning**

1. Voice of the Neighborhood – Clear neighborhood opposition to lifting restrictions that protect privacy, property value and community
2. No Demand for Development – significant vacancy and less neighborhood-friendly businesses on nearby corridor with commercial zoning
3. Environmental Impact – Creek on property allows for watershed. Impervious cover would cause significant issues with drainage/property impact.



## Voice of the Neighborhood



- **100%** of Neighbors in 200ft signed petition **against** changing zoning
- **100%** of Neighbors contacted in 500ft signed petition **against** changing zoning
- 68 property owners in Cherrywood and Mueller neighborhoods are **against** changing zoning

## Overhead View of Neighborhood

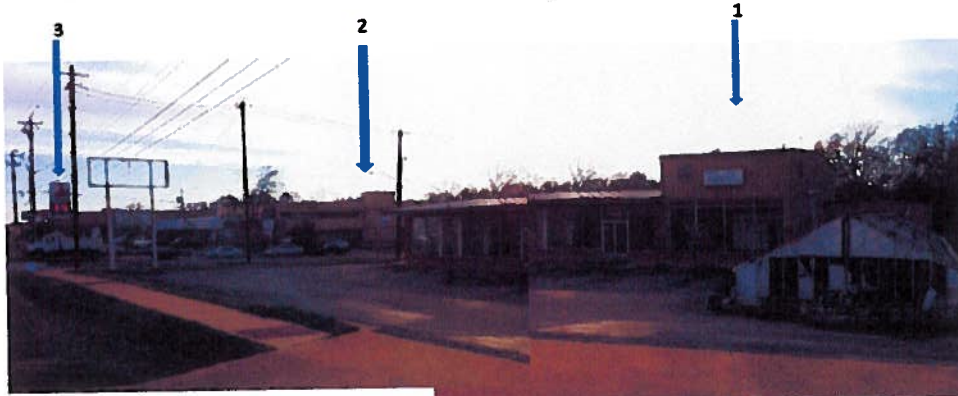


➤ Property is faced by 3 sides Residential and one side Patterson Park

➤ Nearby Commercial corridor already has significant vacancy

➤ Mueller chose not to develop mirror plot on other side of Airport Blvd

## View of Airport/38<sup>th</sup> Intersection



### Southbound Side

1. Vacant Florist
2. Office Space With Vacancy
3. Citgo Gas & Mart



### Northbound Side:

4. Retail Strip Center (Includes 4 check cashing/payday loan stores, Dollar Store, Furniture Rental Store)
5. Office Space With Vacancy
6. Shell Gas Station

## Environmental Impact

The tract identified as 4020 Airport Boulevard has a portion of a creek forming the Western Property line. This creek receives run off from as far north as 50th street and all the area along Airport Boulevard from Crestwood South. It also receives run off from the Mueller development the portions of the development which were formerly in the Tannehill Creek water shed now drain to this location. In addition to the surface run off the control flow discharge from an area wide water quality pond at Mueller also drain to this location. This discharge has converted a seasonal creek to a year around creek.

A second drain way from along and under Airport blvd. intersects this property about 100 feet north of the southern most property line. This drainage is from the medial and properties around Anchor lane almost to the golf course. During storm events a significant amount of water comes through this drainage.

<http://www.ci.austin.tx.us/GIS/DevelopmentWebMap/Viewer.aspx>

The combined flows have caused sever erosion to the properties along Vineland Street and East 40th. Significant flooding has occurred during major storm events. Water has flowed over East 40th street on more one occasion.



## Environmental Impact



### Alrport Blvd:

Property has creek on it that is a main runoff route after rainfall.



### 40<sup>th</sup> St:

Significant drainage work would have to be done to allow amount of water to pass through property and not impact neighboring properties



## History & Future

This portion of Airport has been an eye sore for years ever since it was urbanized and converted from farm land in the 1920's. Measure were being taken as early as the 1960's to beautify what was formerly the first impression of Austin after leaving the Mueller Airport.

Airport Blvd. is designated as a future Urban Corridor. An envisioning revitalization plan is being generated for this portion of Airport Blvd. and has already been drawn up to Airport and IH35. The Mueller prairie and greenbelt have done much to improve the aesthetics and make this area pedestrian accessible, it has received national recognition. The Prairie and Greenbelt are directly across Airport from this property

The current VMU is compatible with that plan. An unrestricted commercial building would become an encumbrance and slow the revitalization effort for decades. What was formerly a fringe area is now part of central Austin. The haphazard development that occurred previously should not be allowed to continue.



From: John Mitchell  
Sent: Thursday, January 19, 2012 1:33 PM  
To: Girard Kinney  
Cc: Meredith, Maureen  
Subject: Airport Blvd greenbelt

Hello Girard,

Let me state yet again. Many of my Wilshire Woods neighbors and I are strongly opposed to ANY development on this parcel, would like to see this stay a greenbelt, perhaps in public hands, whether a part of Patterson Park (which may be getting renamed to Burg-Patterson, a la Mr. Burg) or not. We urge you and all parties involved in it's present ownership to solicit the city and/or the Parks department to purchase this and thereby put Ms. Terrell (spelling?) out of her misery, that is from the risk she took on when she purchased this property on pure speculation.

In fact the neighbors are so upset about this project that there is a petition going to pull all the homes north of 38th 1/2 Street out of the Cherrywood Neighborhood Association.

thank you,  
John Mitchell

**Zoning Use Comparison Table**  
**P = Permitted and C = Conditional NO = we do not permit**

Type of Business	Zoning Code	
	LO	GR
Administrative/business office	P	P
Art Gallery	P/NO	P
Art Workshop	P	P
Auto Rental		P
Auto Repair		P
Auto Sales		P
Auto Washing		P
Bail Bond		PC
Business Trade School		P
Business Support Services		P
Off Street Parking		P
Communication Services	P/NO	P
Consumer Convenience Services	C/NO	P
Extermination Services		P
Financial Services		P
Food Preparation		C
Food Sales		P
Funeral Services		P
General Retail Sales Convenience		P
General Retail Sales General		P
Hotel/Motel		P
Indoor Equipment		P
Indoor Sports and Recreation		P
Medical Offices		P
Off-site Accessory Parking		P
Outdoor Entertainment		P
Outdoor Sports and Recreation		P
Pawn Shop		P
Personal Improvement Services		P
Personal Services		P
Pet Services		P
Plant Nursery	C	C
Printing and Publishing		P
Professional Office	P	P
Research Services		P
Restaurant General		P
Restaurant Limited		P
Service Station		P
Software Development	P	P
Special Historic Use	C	C
Theater		P
Custom Manufacturing		C
Community Garden	P	P
Urban Farm	P	P

Civic Uses = Many

Brian Graham-Moore  
 1817 E 40th St.  
 Austin, TX 78722

512 585 5180

## Covenant for 4020 Airport and Suggested Changes @

Current Description	Change
Zoning Code of O-1 Office District	LO per City Council vote of 2010. Vertical Mixed Use (VMU) an option.
List of businesses not allowed	List of approved commercial uses attached
6 foot privacy fence	8 foot privacy masonry fence kept in good repair with vegetative buffer on all sides not less than 15 feet in width. Major native trees spaced no more than 30 feet apart.
Privacy description	No change. Privacy is very important. Subchapter E may have guidelines.
No 24 hour activity	Business hours to be 7 a.m. to 7 p.m.
Lighting restrictions	No change and mostly covered in Subchapter E
No portable structures	No change
No heavy equipment	No change
Improvements per Site Plan Ex. A	Delete. Owners to show site plan with setbacks clearly shown with NLT 30% adjacent homeowners approval
Style of roof	Delete
Two stories only	Change. Three are permitted if VMU, with <u>maximum</u> height of 40 feet. This includes roof line.
Gross building cannot exceed 40,000 sq ft	Can't exceed percent of area per Subchapter E not including drainage ways, flood plains, and water quality setbacks.
Trash restrictions	As required in Subchapter E
No signs	Painted only with or without soft lighting. No kinetic or moving signs.
Security patrols	Security patrols at random times four times daily if only commercial use for property.
New codes/ordinances must be met	No change.
Covenant violation permits prosecution	Violations permit prosecution and penalties of not less than \$10,000 for each infraction.
Invalidation of any one part of the covenant by legal means does not invalidate remainder.	No change
City Council can modify, amend or terminate with a three quarter vote	Requires a super majority to modify, amend, or terminate this covenant.

@ Amendments will not change and must be applied to future zoning requests, e.g., LR, GR.

3/7/12

Brian Graham-Moore  
1817 E 40th St.  
Austin, TX 78722

# PUBLIC HEARING COMMENT FORM

If you use this form to comment, it may be submitted to:

City of Austin  
Planning and Development Review Department  
974-2695  
P. O. Box 1088  
Austin, TX 78767-8810

5/16/12  
Red

If you do not use this form to submit your comments, you must include the name of the body conducting the public hearing, its scheduled date, the Case Number and the contact person listed on the notice in your submission.

Case Number: NPA-2011-0012.01  
Contact: Maureen Meredith, (512) 974-2695  
Public Hearing: May 22, 2012, Planning Commission  
Public Hearing: June 28, 2012, City Council

1815 E. 40th ST, AUSTIN, TX 78722

Your Name (please print)

CARLOS GONZALEZ

☐ I am in favor  
☒ I object

Your address(es) affected by this application

05/14/12  
Date

Comments:

# PUBLIC HEARING COMMENT FORM

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Planning and Development Review Department  
974-2695  
P. O. Box 1088  
Austin, TX 78767-8810

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Case Number: NPA-2011-0012.01  
Contact: Maureen Meredith, (512) 974-2695  
Public Hearing: May 22, 2012, Planning Commission  
Public Hearing: June 28, 2012, City Council

1815 E. 40th ST, AUSTIN, TX 78722

Your Name (please print)

1815 E. 40th AUSTIN, TX 78722

☐ I am in favor  
☒ I object

Your address(es) affected by this application

05/14/12  
Date

Comments:

## PUBLIC HEARING COMMENT FORM

If you use this form to comment, it may be submitted to:

City of Austin

Planning and Development Review Department

974-2695

P. O. Box 1088

Austin, TX 78767-8810

*Rec'd*  
*6-1-12*

If you do not use this form to submit your comments, you must include the name of the body conducting the public hearing, its scheduled date, the Case Number and the contact person listed on the notice in your submission.

**Case Number: NPA-2011-0012.01**

**Contact: Maureen Meredith, (512) 974-2695**

**Public Hearing: May 22, 2012, Planning Commission**

**Public Hearing: June 28, 2012, City Council**

Your Name (please print)

*MARY Nell McILROY*

☐ I am in favor  
☒ I object

Your address(es) affected by this application

*Mary Nell McIlroy*

Signature

*5-10-12*

Date

Comments:

*Detrimental to the  
neighborhood!*

**PUBLIC HEARING COMMENT FORM**

If you use this form to comment, it may be submitted to:  
City of Austin  
Planning and Development Review Department  
974-2695  
P. O. Box 1088  
Austin, TX 78767-8810

**RECEIVED**  
5/17/12

If you do not use this form to submit your comments, you must include the name of the body conducting the public hearing, its scheduled date, the Case Number and the contact person listed on the notice in your submission.

Case Number: NPA-2011-0012.01  
Contact: Maureen Meredith, (512) 974-2695  
Public Hearing: May 22, 2012, Planning Commission  
Public Hearing: June 28, 2012, City Council

Your Name (please print) BARBARA IRWIN  
Your address(es) affected by this application 3905 GRAYSON LANE  
Date 5/17/12

☐ I am in favor  
☐ I object

Comments: PLEASE -- DO NOT LET THE  
COVENANT THAT WAS IN PLACE  
WITH THE OWNER OF THIS PROPERTY  
BOUGHT IT - I KNEW IT - THE  
NEIGHBORHOOD SURROUNDING THIS  
PROPERTY WOULD BE GREATLY AFFECTED  
IN A NEGATIVE WAY - NOT ONLY FINANCIALLY  
BUT PROPERTY VALUES WOULD BE  
DETERMINED - HAVE-MERELY THINK  
I CONSIDER THE GOLDEN RULE --  
THANK YOU!

**PUBLIC HEARING COMMENT FORM**

If you use this form to comment, it may be submitted to:  
City of Austin  
Planning and Development Review Department  
974-2695  
P. O. Box 1088  
Austin, TX 78767-8810

**RECEIVED**  
5/17/12

If you do not use this form to submit your comments, you must include the name of the body conducting the public hearing, its scheduled date, the Case Number and the contact person listed on the notice in your submission.

Case Number: NPA-2011-0012.01  
Contact: Maureen Meredith, (512) 974-2695  
Public Hearing: May 22, 2012, Planning Commission  
Public Hearing: June 28, 2012, City Council

Your Name (please print) EARL BURG  
Your address(es) affected by this application 514-12  
Date 5/14/12

☐ I am in favor  
☒ I object

Comments: Security & safety will be  
compromised



9.14.2012 F

**PUBLIC HEARING COMMENT FORM**

If you use this form to comment, it may be submitted to:  
 City of Austin  
 Planning and Development Review Department  
 974-2695  
 P. O. Box 1088  
 Austin, TX 78767-8810

**RECEIVED**  
 5/12/12

If you do not use this form to submit your comments, you must include the name of the body conducting the public hearing, its scheduled date, the Case Number and the contact person listed on the notice in your submission.

Case Number: NPA-2011-0012.01  
 Contact: Maureen Meredith, (512) 974-2695  
 Public Hearing: May 22, 2012, Planning Commission  
 Public Hearing: June 28, 2012, City Council

Your Name (please print) ☐ I am in favor ☒ I am in object  
 RAYMOND ZAPLATA  
 Your address(es) affected by this application  
 4000 CRESCENT DR. 5-18-12  
 Signature Date  
 Comments: PROPERTY BACKS TO A WET WEATHER CREEK (FLOOD PLAGE?) TRAFFIC PATTERNS ARE VERY INCONVENIENT TO ACCESS AIRPORT FULL ADDITIONAL NOISE (TRAFFIC TO NEIGHBORHOOD) ACCESS STREET (APART DEVELOPMENT) IS PLENTY OF COMMERCIAL OFFICES ALREADY.  
 THE WITNESS OF OWNER IS TO SELL THE PROPERTY FOR MORE MONEY NOT WHAT NEEDED WITHIN DISTRICT.

**PUBLIC HEARING COMMENT FORM**

If you use this form to comment, it may be submitted to:  
 City of Austin  
 Planning and Development Review Department  
 974-2695  
 P. O. Box 1088  
 Austin, TX 78767-8810

**RECEIVED**  
 5/12/12

If you do not use this form to submit your comments, you must include the name of the body conducting the public hearing, its scheduled date, the Case Number and the contact person listed on the notice in your submission.

Case Number: NPA-2011-0012.01  
 Contact: Maureen Meredith, (512) 974-2695  
 Public Hearing: May 22, 2012, Planning Commission  
 Public Hearing: June 28, 2012, City Council

Your Name (please print) ☐ I am in favor ☒ I am in object  
 Brian Graham-Moore  
 Your address(es) affected by this application  
 Brian Graham-Moore 5-15-12  
 Signature Date  
 Comments: THIS ZONING CHANGE will adversely impact on safety & security.

Case # C14-2011-0085  
Case # NPA-2011-0012.01

Address: 4020 Airport Drive  
Deed Reference: 2004214923  
TCAD Plat # 0215121301

ADDENDUM To SIGNED "STATEMENT OF OPPOSITION", (page 1 of 2)  
providing Plat Numbers of Signators, corresponding to residence address.

---

<u>Address</u>	<u>TCAD Tax ID #</u>	<u>TCAD Plat # (Ref ID# #)</u>
(Page 1 of Signatures, in order of signing:)		
4009 Vineland Drive	209494	0215121310 0000
4007 Vineland Drive	209493	0215121309 0000
4005 Vineland Drive	209492	0215121308 0000
1815 E. 40 <sup>th</sup> Street	209467	0215121103 0000
1817 E. 40 <sup>th</sup> Street	209468	0215121104 0000
4008 Vineland Drive	209388	0215020437 0000
4013 Vineland Drive	209496	0215121312 0000
4015 Vineland Drive	209497	0215121313 0000
4015 Vineland Drive	209497	0215121313 0000
4017 Vineland Drive	209498	0215121414 0000
4017 Vineland Drive	209498	0215121414 0000
4002 Vineland Drive	209391	0215120440 0000

Case # C14-2011-0085  
Case # NPA-2011-0012.01

Address: 4020 Airport Drive  
Deed Reference: 2004214923  
TCAD Plat # 0215121301

ADDENDUM To SIGNED "STATEMENT OF OPPOSITION", (page 2 of 2)  
providing Plat Numbers of Signators, corresponding to residence address.

---

<u>Address</u>	<u>TCAD Tax ID #</u>	<u>TCAD Plat # (Ref ID2 #)</u>
(Page 2 of Signatures, in order of signing:)		
4021 Vineland Drive	209500	0215121316 0000
4016 Vineland Drive	209384	0215120433 0000
4014 Vineland Drive	209385	0215120434 0000
4012 Vineland Drive	209386	0215120435 0000
4010 Vineland Drive	209387	0215120436 0000
4004 Vineland Drive	209390	0215120439 0000
4003 Vineland Drive	209491	0215121307 0000
1814 E. 40 <sup>th</sup> Street	209488	0215121304 0000
1814 E. 40 <sup>th</sup> Street	209488	0215121304 0000
1816 E. 40 <sup>th</sup> Street	209487	0215121303 0000
1816 E. 40 <sup>th</sup> Street	209487	0215121303 0000
1817 E. 40 <sup>th</sup> Street	209468	0215121104 0000



Case # C14-2011-0085

Address: 4020 Airport Blvd.  
Deed Reference  
2004214923

We, the undersigned owners of property affected by the requested zoning change described in the referenced file, do hereby protest against any change of the Land Development Code which would zone the property to any classification other than LO-V-NP And that all current restrictions remain in effect.

For some or all of the following reasons: flooding potential, >300 vehicles a day increase on a residential street, devaluation of adjacent properties, light and noise pollution, increased crime. increase in heat, aesthetic loss to the park and neighborhood.

Signature	Printed Name	Address	Contact Inf.	Tax Id #
<i>Paul Arredondo</i>	Paul Arredondo	4009 Vineland Dr	Sue Broadbury	209494
<i>Paul Burg</i>	PAUL BURG	4007 Vineland Dr	476-3702	209493
<i>Pierce Hayes</i>	PIERCE HAYNES	4005 VINELAND DR	477-2300	209492
<i>Carlos Gonzalez</i>	CARLOS GONZALEZ	1815 E 40th	981-8127	209467
<i>Brian Graham</i>	Brian Graham	1817 E 40th	585-5180	209467
<i>Ryan Steglich</i>	Ryan Steglich	4008 Vineland Dr	983-6196	
<i>Cynthia Wise</i>	Cynthia Wise	4013 Vineland	626-1016	209496
<i>Alvin Youngblood</i>	ALVIN YOUNGBLOOD	4015 Vineland Dr	478-3012	209492
<i>Kathleen Youngblood</i>	Kathleen Youngblood	4015 Vineland Dr	478-3012	209497
<i>Kristin Goodwin</i>	Kristin Goodwin	4017 Vineland Dr	713-376-6191	
<i>Amar Mehta</i>	Amar Mehta	4017 Vineland Dr	713-203-2847	
<i>Raymond Uhlir</i>	RAYMOND UHLIR	4002 VINELAND DR	680-4860	209391
<i>Pete Masera</i>	Pete Masera	4001 Vineland Dr	794-7203	
<i>Lacy Shaw</i>	LACY SHAW	1811 E. 40th Ave	680-3530	
<i>Rene Nunez</i>	RENE NUNEZ	1805 E 40th	708-0808	
<i>Garrett Boon</i>	Garrett Boon	4007 Brookview Dr	799-9618	
<i>Emily Wenger</i>	EMILY WENGER	1713 Schiffer Ave	603-1287	
<i>F. E. Ward</i>	F. E. WARD	4018 Vineland	472-3706	
<i>Charles H. Denola</i>	CHARLES H. DENOLA	4021 VINELAND DR	773-2283	
<i>Alfred Hernandez</i>	ALFRED HERNANDEZ	4019 VINELAND DR	934-0998	
<i>Steven Isbelle</i>	STEVEN ISBELLE	4011 VINELAND	844-6114	
<i>G. Robertson</i>	G. Robertson	4006 Vineland	472-1452	



Case # C14-2011-0085

Address: 4020 Airport Blvd.  
Deed Reference  
2004214923

We, the undersigned owners of property affected by the requested zoning change described in the referenced file, do hereby protest against any change of the Land Development Code which would zone the property to any classification other than LO-V-NP And that all current restrictions remain in effect.

For some or all of the following reasons: flooding potential, >300 vehicles a day increase on a residential street, devaluation of adjacent properties, light and noise pollution, increased crime, increase in heat, aesthetic losses to the park and neighborhood.

Signature	Printed Name	Address	Contact Inf.	Email
	Eric Steele	3700 Throckmoll St	512-299-8046	ericsteele@yahoo.com
	Laura Grandi	3900 Throckmoll St	512-825-5109	grandilaura50@gmail.com
	Rafael Silva	3701 Col. Polk St	512-774-6969	silva.rafael@yahoo.com
	C. Hill	4120 Lantana St	459-6342	CHill101@yahoo.com
	V. Polk	3040 Polk St	512-822-708	VPolk101@yahoo.com
	Luke Davis	4256 Lantana St	512-551-9620	luke.davis@nashville.com
	Andriy Sivic	4120 Lantana St	703-328-3717	andriy.sivic@gmail.com
	James Howard	2627 Lantana St	512-424-4475	James.Howard@nashville.com
	Russ Citras	2105 Lantana St	512-767-4124	RussCitras@yahoo.com
	Yimchi Chen	2608 Tom Miller	512-655-5070	Jack.Y.C.Chen@gmail.com
	Diana Buster	3900 27 Throckmoll	512-415-6071	diana.buster@gmail.com
	Maria Chaudhary	3900 27 Throckmoll	512-228-1538	maria.chaudhary@gmail.com
	Joe Deaton	4101 Lantana St	512-676-2584	joe.deaton@nashville.com
	David Humberg	4116 Lantana St	512-524-0303	David.Humberg@nashville.com
	Denise Dorian	1908 Emma Lane	512-535-0551	denise.dorian@nashville.com
	Kristie Kocurek	2103 Tom Miller	512-308-8118	KKocurek@nashville.com
	Garrett Willock	1908 McCloskey	512-696-8873	Garrett.Willock@gmail.com
	Steven Tower	1904 Tom Miller	512-626-4575	steventower@nashville.com
	Andrea Solitto	1904 McCloskey St	512-391-6223	asolitto@gmail.com
	Stephen Solitto	1904 McCloskey St	512-391-6223	solitto2@gmail.com
	Thomas Lepori	1905 McCloskey St	512-940-7047	ThomasLepori@gmail.com
	David Humberg	1909 Emma Lane	512-636-2795	humbergdi@gmail.com

(\*) w/ 500 feet



**Case # C14-2011-0085**

**Address: 4020 Airport Blvd.  
Deed Reference  
2004214923**

We, the undersigned owners of property affected by the requested zoning change described in the referenced file, do hereby protest against any change of the Land Development Code which would zone the property to any classification other than LO-V-NP And that all current restrictions remain in effect.

For some or all of the following reasons: flooding potential, >300 vehicles a day increase on a residential street, devaluation of adjacent properties, light and noise pollution, increased crime. increase in heat, aesthetic loss to the park and neighborhood.

Signature	Printed Name	Address	Contact Inf.	Tax Id #
Candace Arnold	CANDACE ARNOLD	4021 Vineyard	512-247-1813	209500
Jesse Jenkins	Jesse Jenkins	4016 Vineyard	jessajenkins@comcast.net	1801
Cathie Jones	CATHIE JONES	4014 Vineyard	472-9154	209385
Sylvia Martinez	Sylvia Martinez	4012 Vineyard	476-8203	209386
Maria Lopez	MARIA LOPEZ	4010 Vineyard	474-5396	209387
David Benton	DAVID BENTON	4004 Vineyard	478-1867	209390
Matilda Alar	MATILDA ALAR	4003 Vineyard	477-8543	209411
Thomas Johnson	THOMAS JOHNSON	1814 E. 40th St.	476-2662	209488
Patricia Johnson	PATRICKA JOHNSON	1814 E. 40th St.	476-2662	209488
Patricia S. Johnson	PATRICIA S. JOHNSON	1816 E. 40th St.	477-9158	209487
Vivian Joseph	VIVIAN JOSEPH	1816 E. 40th St.	477-9158	209487
Robin Graham-Moore	ROBIN GRAHAM-MOORE	1814 E. 40th St.	512-585-0854	209468

**Petition in Opposition to Zoning Change for 4020 Airport Blvd**

Case # C14-2011-0085

Address: 4020 Airport Blvd.  
Deed Reference  
2004214923

We, the undersigned owners of property affected by the requested zoning change described in the referenced file, do hereby protest against any change of the Land Development Code which would zone the property to any classification other than LO-V-NP and request that all current restrictions remain in effect. We request this for some or all of the following reasons: flooding potential, >300 vehicles a day increase on a residential street, devaluation of adjacent properties, light and noise pollution, increased crime, increase in heat, aesthetic losses to the park and neighborhood.

Signature	Printed Name	Address (Austin, TX)	E-Mail/Telephone	Parcel ID No.
<i>[Signature]</i>	V. LAM CEEFELD	4020 Airport Blvd		
<i>[Signature]</i>	Brent B. ASHMAN	4001 Brookhaven Dr		

**Petition in Opposition to Zoning Change for 4020 Airport Blvd**

Case # C14-2011-0085

**Address: 4020 Airport Blvd.**  
**Deed Reference**  
**2004214923**

We, the undersigned owners of property affected by the requested zoning change described in the referenced file, do hereby protest against any change of the Land Development Code which would zone the property to any classification other than LO-V-NP and request that all current restrictions remain in effect. We request this for some or all of the following reasons: flooding potential, >300 vehicles a day increase on a residential street, devaluation of adjacent properties, light and noise pollution, increased crime, increase in heat, aesthetic losses to the park and neighborhood.

Signature	Printed Name	Address (Austin, TX)	E-Mail/Telephone	Parcel ID No.
<i>Ken Sander</i>	Ken Sander	1709 S. Greff		
<i>Daniel A. Marchal</i>	Daniel A. Marchal	4013 Brookview	Fred.marchal@gmail.com 421-4001	
<i>Andy Banger</i>	Andy Banger	401 Brookview	andybanger@gmail.com	
<i>Jeff Brown</i>	Jeff Brown	4509 Brookview	jbrown@att.net brown.terra	
<i>Lillian Potter</i>	Lillian Potter	4005 Brookview	potter@mail.vtx.net potter@vtx.net	
<i>Geoffrey Potter</i>	Geoffrey Potter	4005 Brookview Rd.	geoffrey.potter@gmail.com geoffrey@vtx.net	



Case # C14-2011-0085

Address: 4020 Airport Blvd.  
Deed Reference  
2004214923

We, the undersigned owners of property affected by the requested zoning change described in the referenced file, do hereby protest against any change of the Land Development Code which would zone the property to any classification other than LO-V-NP And that all current restrictions remain in effect.  
For some or all of the following reasons: flooding potential, >300 vehicles a day increase on a residential street, devaluation of adjacent properties, light and noise pollution, increased crime, increase in heat, aesthetic losses to the park and neighborhood.

Signature	Printed Name	Address	Contact Inf.	Email
	Eric Steele	3100 Thredgill St #29	512-299-8096	erasteele@yahoo.com
	Laura Grandi	3900 Anna Gail St #12	512-885-5589	grandilaura80@gmail.com
	Rafael Silva	3701 Col. Fudge St	512-474-6969	supernaturalbooks@yahoo.com
	C. Hill	4120 L. G. St	AS96342	CHill101@yahoo.com
	David Coleman	3049 E. 5th St	512-870-768	EDavidColeman@gmail.com
	Luke Davis	4256 Berkman	512-551-9670	lukedavis@yahoo.com
	Andrew Smith	4120 Berkman	702-288-3419	andrew.smith@gmail.com
	Tami Anderson	2527 Anna Gail	512-174-2975	TAMI.ANDERSON@att.net
	R.W. Carrasco	2105 Apt. Ave St	512-767-4124	Rushes9@gmail.com
	R.W. Carrasco	2105 Apt. Ave St	512-767-4124	Rushes9@gmail.com
	Yung Chi Chen	2608 Tom Miller	512-655-5670	Jack.Y.C.Chen@gmail.com
	Diana Busler	3900 29 Thredgill	512-415-6201	thedianabusler@gmail.com
	Marie Chapman	3900 27 Thredgill	512-228-1535	marie_chapman@yahoo.com
	Joe Deaton	4001 Monroe St	512-631-2554	joe.deaton@att.net
	David Hamilton	416 E. 5th St	512-529-0365	hamdavid@gmail.com
	David Dozier	1401 Tom Miller	512-535-0551	dozier30@yahoo.com
	David Dozier	1908 Emma Lane	512-535-0551	dozier30@yahoo.com
	Kristie Kocurek	2108 Tom Miller	512-308-8118	KKocurek@att.net
	GARRETH WILLOCK	1908 McCloskey	512-696-8873	GARRETH.WILLOCK@gmail.com
	Garrett Jones	1907 Tom Miller	512-666-4575	1360122@att.net
	Andrea Solitto	1904 McCloskey St	512-391-6223	alsheff@gmail.com
	Stephen Solitto	1904 McCloskey St	512-391-6223	solitto12@gmail.com
	Thomas Lepori	1905 McCloskey St	512-940-7047	ThomasLepori@gmail.com
	DAVID HAMBUCKEN	1909 Emma Lane	512-636-2795	hambuckd@gmail.com

w/ 500 feet.

Case # C14-2011-0085

Address: 4020 Airport Blvd.  
Deed Reference  
2004214923

We, the undersigned owners of property affected by the requested zoning change described in the referenced file, do hereby protest against any change of the Land Development Code which would zone the property to any classification other than LO-V-NP And that all current restrictions remain in effect.

For some or all of the following reasons: flooding potential, >300 vehicles a day increase on a residential street, devaluation of adjacent properties, light and noise pollution, increased crime, increase in heat, aesthetic losses to the park and neighborhood.

Signature	Printed Name	Address	Contact Inf.	Email
* <i>[Signature]</i>	Kim Chan	2200 Tom Miller St Austin, TX 78723	(512) 257-7804	k7chan@yahoo.com
* <i>[Signature]</i>	MITCH PRYOR	2204 Tom Miller St Austin, TX 78723	(512) 423-1685	mpryor@gmail.com
* <i>[Signature]</i>	Donna Bueche	2204 Tom Miller St Austin, TX 78723	(512) 423-2496	donnabueche@yahoo.com
* <i>[Signature]</i>	ME GLESSOCK	2204 Tom Miller St Austin, TX 78723	(512) 558-5030	mglessock@austin.tx.us
* <i>[Signature]</i>	ANITA BOYLE	2012 Tom Miller St Austin, TX 78723	(512) 771-1657	aniboyale@utexas.edu
* <i>[Signature]</i>	CAROLYN HAGLER	2012 Tom Miller St Austin, TX 78723	(512) 350-6450	Carolyn.hagler@yahoo.com
* <i>[Signature]</i>	GLEN HAGLER	2012 Tom Miller St Austin, TX 78723	(512) 796-6809	glenhagler@gmail.com
* <i>[Signature]</i>	BREAN OSGORNE	6000 Tom Miller St Austin, TX 78723	(512) 305-7928	brean_osborne@yahoo.com
* <i>[Signature]</i>	David P. Rabalais	1912 Tom Miller St Austin, TX 78723	(512) 426-3175	dprabalais@hotmail.com



Case # C14-2011-0085

Address: 4020 Airport Blvd.  
Deed Reference  
2004214923

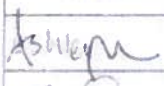




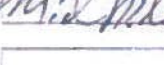
We, the undersigned owners of property affected by the requested zoning change described in the referenced file, do hereby protest against any change of the Land Development Code which would zone the property to any classification other than I.O-V-NP and that all current restrictions remain in effect. For some or all of the following reasons: Flooding potential, > 300 vehicles a day increase on residential streets, devaluation of adjacent properties, light and noise pollution, increased crime, increase in heat, aesthetic loss to the park and neighborhood.

Signature	Printed Name	Address	Contact Info	Parcel ID Number
<i>[Signature]</i>	JANET EVANS	4006 Crescent	512-413-7116	209337
<i>[Signature]</i>	D. Lark Campbell	4003 Crescent	512-477-2157	
<i>[Signature]</i>	JOHN DAVISON	4009 Crescent	512-385-1128	
<i>[Signature]</i>	Samuel...	4002 Crescent	512-477-781	
<i>[Signature]</i>	LISSA K...	4001 Crescent	512-478-5157	
<i>[Signature]</i>	LENNY DOMINGUEZ	4005 Crescent	512-680-7643	
<i>[Signature]</i>	Erin White	1141 San Bernard	512-416-8416	
<i>[Signature]</i>	SEBASTIAN...	4001 Crescent	512-485-9448	
<i>[Signature]</i>	Achille...	4001 Crescent	512-482-4748	
<i>[Signature]</i>	Kate...	4003 Crescent	512-444-4570	
<i>[Signature]</i>	Jeffrey...	4006 Crescent	512-423-5333	
<i>[Signature]</i>	Chris...	4005 Crescent	512-636-2315	
<i>[Signature]</i>	Patricia...	4001 Crescent	474-7064	
<i>[Signature]</i>	Paula...	4001 Crescent	414-7284	
<i>[Signature]</i>	Dianne...	1715 E. 4th	512-436-1518	

Case #C14-2011-0085

Address: 4020 Airport Blvd  
Deed Reference: 2004214923




We the undersigned owners of property affected by the requested zoning change described in the referenced file, do hereby protest against any change of the Land Development Code which would zone the property to any classification other than LO-V-NP and that all current restrictions remain in effect. For some or all of the following reasons: Flooding Potential, Traffic from more than 300 vehicles a day increase on residential streets, devaluation of adjacent properties, light and noise pollution, increased crime, increase in heat, aesthetic loss to Patterson Park and neighborhood.

Signature	Printed Name	Address	Contact Info	Parcel ID #
	Ashley Moran	4015 Brookview Dr.	439-9160	
	Eileen Smith	4013 Brookview Dr.	791-919	
	Lillian Potter	4005 Brookview Dr.	578-8125	
	Julian Wite	1771 E 40th St	565-9067	
	John Stett	3814 Halfway Rd.	944-4889	
	Michael D. Soltman	3813 Willowbrook Dr.	809-9971	

**Petition in Opposition to Zoning Change for 4020 Airport Blvd**  
**Case # C14-2011-0085**

**Address: 4020 Airport Blvd.**  
**Deed Reference**  
**2004214923**

We, the undersigned owners of property affected by the requested zoning change described in the referenced file, do hereby protest against any change of the Land Development Code which would zone the property to any classification other than LO-V-NP and request that all current restrictions remain in effect. We request this for some or all of the following reasons: flooding potential, >300 vehicles a day increase on a residential street, devaluation of adjacent properties, light and noise pollution, increased crime, increase in heat, aesthetic losses to the park and neighborhood.

Signature	Printed Name	Address (Austin, TX)	E-Mail/Telephone	Parcel ID No.
	ADAM SPARKS	3907 CHESTNUT RD	ADAM SPARKS @ gmail.com	
	Tina Posner	3901 CHESTNUT RD	tposnerie @ earthlink.net	
	Hannah Vaughan	3903 CHESTNUT RD	hannahvaughan @ granddawn.net	



1713 NO HONOR  
1711 NO HONOR  
1709 NO HONOR  
1705 NO HONOR  
1703 NO HONOR  
1701 NO HONOR

**Petition in Opposition to Zoning Change for 4020 Airport Blvd**

Case # C14-2011-0085

Address: 4020 Airport Blvd.  
Deed Reference  
2004214923

We, the undersigned owners of property affected by the requested zoning change described in the referenced file, do hereby protest against any change of the Land Development Code which would zone the property to any classification other than LO-V-NP and request that all current restrictions remain in effect. We request this for some or all of the following reasons: flooding potential, >300 vehicles a day increase on a residential street, devaluation of adjacent properties, light and noise pollution, increased crime, increase in heat, aesthetic losses to the park and neighborhood.

Signature	Printed Name	Address (Austin, TX)	E-Mail/Telephone	Parcel ID No.
<i>F. E. Ward</i>	F. E. WARD	4918 VINELAND	477-3706	
<i>Elizabeth Dwyer</i>	Elizabeth Dwyer	1707 Schick	414-2030	
<i>Christine Jewell</i>	Christine Jewell	4017 Quercuswood Rd	796-9861	
<i>Richard L. Johnson</i>	Richard L. Johnson	4001 Pecanwood Dr	478-2417	



**Petition in Opposition to Zoning Change for 4020 Airport Blvd**  
**Case # C14-2011-0085**

**Address: 4020 Airport Blvd.**  
**Deed Reference**  
**2004214923**

We, the undersigned owners of property affected by the requested zoning change described in the referenced file, do hereby protest against any change of the Land Development Code which would zone the property to any classification other than LO-V-NP and request that all current restrictions remain in effect. We request this for some or all of the following reasons: flooding potential, >300 vehicles a day increase on a residential street, devaluation of adjacent properties, light and noise pollution, increased crime, increase in heat, aesthetic losses to the park and neighborhood.

Signature	Printed Name	Address (Austin, TX)	E-Mail/Telephone	Parcel ID No.
<i>[Signature]</i>	James De Michele	3807 Willbush	de michej@austin.tx.us	
<i>[Signature]</i>	Robert E. Gorman	3803 Willbush		
<i>[Signature]</i>	Cristen Perks	1804 E. 38 1/2 St.	cristenperks@gmail.com	
<i>[Signature]</i>	Isaiah Tibbs	4012 Crescent Dr. 78722	realto77@gmail.com	
<i>[Signature]</i>	Margaret Bliss	1704 E. 40th St 78722	margaretmills@people.pc.com	

**From:** carol dawson  
**Sent:** Monday, May 21, 2012 9:16 AM  
**To:** Meredith, Maureen  
**Subject:** NPA-2011-0012.01 - 4020 Airport

To: Planning Commission  
Re: 4020 Airport Blvd  
Case #: NPA 2011 0012.01  
Date: May 22, 2012

From: Carol Dawson  
4010 Crescent Dr.  
Austin 78722  
2 blocks from 4020 Airport Dr.  
My husband and I own this residential property.  
My husband, Jeffery Poehlmann, has lived at this address on Crescent Dr. for 30 years  
Our two-year-old granddaughter lives with us.  
Dear Members of the Planning Commission,

I understand and agree that a property owner has the right to develop their property, but as neighbors and property owners whose family will be impacted, my husband and I believe that the change in zoning from LO-V-NP to LR as proposed by the City Staff, or GR as requested by the 4020 owner would allow more commercial and intensive development than is fitting for a residential area, and would adversely affect our home and family.

In particular we are concerned with:

- 1) an increase in cut through traffic and the resulting deterioration of the safety of our streets.
- 2) the tract is narrow, backs up on a creek and intensive development could cause flooding and degradation of water quality downstream
- 3) We support keeping the zoning LO-V-NP, and removing the restricted covenants only if replaced with an amended restrictive covenant.

Thank you.

Carol Dawson

**From:** Tricia Mitchell Kim  
**Sent:** Monday, May 21, 2012 9:24 AM  
**To:** Meredith, Maureen  
**Subject:** NPA-2011-0012.01 - 4020 Airport

To: Planning Commission  
Re: 4020 Airport Blvd  
Case #: NPA 2011 0012.01  
Date: May 20, 2012

Dear Members of the Planning Commission,

I am an eight year resident of the Cherrywood neighborhood. For six years, my husband and I lived at 4005 Crescent Drive, about two blocks from 4020 Airport Blvd. We have two young children, walk and bike on neighborhood streets, and use Patterson Park frequently. For the last year and a half, we have lived at 4102 Wildwood, which is about a half mile west of our former house.

I understand and agree that a property owner has the right to develop his property, but as a neighbor and property owner whose family will be impacted, I oppose the proposed change in zoning of the 4020 Airport Blvd. property from LO-V-NP to LR (as proposed by the City Staff) or GR (as requested by the 4020 owner). The proposed changes would allow more commercial and intensive development than is fitting for a residential area, and would adversely affect our neighborhood, home and family.

In particular, I am concerned about an increase in cut through traffic and the resulting deterioration of the safety of our streets. We have already seen such an increase after the changes on Airport Blvd. to accommodate the Mueller Development. The cars that cut through the neighborhood, especially during rush hour, often exceed the speed limit for a residential area, despite road humps and other measures to calm traffic.

In addition, the tract is narrow and backs up on a creek. Intensive development could cause flooding of nearby homes and degradation of water quality downstream.

I support keeping the zoning LO-V-NP, and removing the restricted covenants only if replaced with an amended restrictive covenant.

Thank you.

Tricia Mitchell Kim

On Mon, May 21, 2012 at 7:23 AM, Aaron Choate < wrote:  
Clark, Maureen,

I want to report that at our May General Meeting, our membership voted down the proposal of the Cherrywood Neighborhood Association steering committee on the 4020 property without providing an alternate motion. As such, CNA has no position on the proposals beyond our previously discussed opposition to the flum and zoning changes as requested by the owner of the property. I am including a brief letter that attempts to report the discord in our neighborhood related to this property. You will find both the steering committee recommendation and the "amended changes (to the original covenant) of the adjacent neighbors" included. \*please note\* I have made a correction to the SC recommendation to make it clear that Restaurant General, Medical Offices > 5000sqft and General Retail Sales (General) were intended to be excluded by the restriction of their lesser cohorts. I listed those as additional restrictions in a note in that section.

Cheers,

Aaron Choate  
Chair of the Cherrywood Neighborhood Association Steering Committee

May 21, 2012

At the May 16th General Meeting of the Cherrywood Neighborhood Association (CNA), a motion to adopt the CNA Steering Committee's recommendation on the 4020 Airport property was voted down by a vote of 40 to 16. No alternative motion was offered at the meeting. Thus, the Cherrywood Neighborhood does not have a position beyond the opposition that was voiced at the February 15 meeting of the CNA membership for the FLUM, lifting of Restrictive Covenant and zoning changes requested by the applicant.

I am attaching both the recommendation of the steering committee and the position that has been distributed by Brian Graham-Moore who indicates that he speaks for a coalition of neighbors surrounding the property. The CNA attempted to find common ground on the issues related to the property and the Steering Committee recommendation you see here was based on a series of taskforce meetings, then also on a Land Use and Transportation meeting and then a Steering Committee meeting. All meetings were announced ahead of time and all of those who were interested were welcome to attend.

Despite the differences that can be found in the two positions, I would like to point out the effort that was put into crafting a set of additional restrictions in the Steering Committee recommendation on the percentage of the property that can be residential if an MU designation ends up being considered. Likewise, if the full height of the allowed building height is to be allowed, they must include a certain percentage of residential. Even if this property doesn't benefit from this work, it may prove to be useful to other neighborhoods who want to try and craft their zoning to encourage true mixed residential developments.

/Aaron Choate  
Chair of the Cherrywood Neighborhood Association Steering Committee



May 21, 2012

**4020 AIRPORT BOULEVARD**

**Cherrywood Neighborhood Association (CNA) Steering Committee (SC)  
recommended CNA Position**

CNA continues to oppose the applications as filed last year by the Owner, and after an intensive and lengthy process, we offer the following Recommendation concerning the FLUM, the Zoning and the proposed Restrictions:

**FLUM CHANGE:**

Change the Future Land Use Map (FLUM) designation from "Office" to "Neighborhood Mixed Use".

**ZONING CHANGE**

Change "LO-V-NP" to "LR-V-MU-NP" (or if some or all of the conditions are contained in a Conditional Overlay, "LR-V-MU-CO-NP").

**CONDITIONS**

Note that we understand that the following conditions may be codified through a Conditional Overlay (CO), a Public Restrictive Covenant, and/or a Private Restrictive Covenant. CNA recommends that COA Staff, Planning Commission and City Council utilize the most effective method to codify these Conditions.

**Prohibited Uses** (these are uses that are shown as allowed in LR base zoning, are proposed to be restricted; i.e. NOT ALLOWED on this site)

- Service Station
- Off-Site Accessory Parking
- Pet Services
- Financial Services
- Art Workshop
- Consumer Convenience Services
- Printing and Publishing
- Restaurant (Limited)

\*note\* the taskforce and Steering Committee intended to restrict the following uses, but that was no longer explicit when the document was rearranged.

- Restaurant General
- Medical Office (exceeding 5,000 sq. ft)
- General Retail Sales (general)

**Provisions related to the "MU" suffix** (these provisions are intended to encourage significant, but not exclusive, residential uses):

- The height of any building or buildings where residential is NOT included, or where residential use is less than 50% would be limited to 32 feet and a maximum of 2 stories.
- If residential uses ARE included, no one building, nor the entire development, may exceed 65% residential.

May 21, 2012

**Other provisions:**

- There shall be a masonry privacy wall along the west and south sides of the property, 8 feet high. The wall shall have vegetative buffer on all sides. Major native trees in the buffer are to be spaced no more than 30 feet apart.
- 24 Hour Security surveillance is required
- No compounding pharmacy shall be permitted.
- Any individual retail space shall have a maximum of 4,000 square feet
- No vehicular access to Schieffer
- Maximum gross building footprint area of 45,000 square feet
- All building windows facing adjacent private residential property shall be designed so that a person of average height (5'10"), sitting or standing in a normal posture, cannot see neighboring yards or windows of nearby homes. This shall be accomplished by the use of louvers, placement above normal eye level, or any other effective means. Any fixtures installed for this purpose shall be permanent and shall not be adjusted or removed by building tenants or owners.
- Business hours 7:00am-7:00pm
- Subchapter E lighting restrictions with the additional restriction that the source of light shall not be visible to adjacent property owners
- No portable structures
- No heavy equipment
- Site signage must follow the Scenic Roadway Sign ordinance
- Covenant violations permit prosecution and penalties of not less than \$10,000 for each infraction.
- Invalidation of any one part of the covenant by legal means does not invalidate the remainder.
- Requires a super majority of city council to modify, amend, or terminate the covenant.
- Walls, structures or screens which would obscure views to the areas between buildings and interior property lines from Airport Blvd or Schieffer Avenue are prohibited.

May 21, 2012

**Original Covenant for 4020 Airport Contrasted by Amended Changes of Adjacent Neighbors**

Original Covenant Description	Amended Covenant Change
Zoning Code of O-1 Office District	LO per City Council vote of 2010. Vertical Mixed Use (VMU) an option.
List of businesses not allowed	List of allowed business categories under LO, as amended.
6 foot privacy fence	At least 8 foot privacy masonry fence kept in good repair with vegetative buffer on all sides not less than 15 feet in width. Major native trees spaced no more than 30 feet apart.
Privacy description	No change. Privacy is very important. Subchapter E guidelines are satisfactory.
No 24 hour activity	Business hours to be 7 a.m. to 7 p.m.
Lighting restrictions	No change, Subchapter E guidelines are satisfactory
No portable structures	No change
No heavy equipment	No change
Improvements per Site Plan Ex. A	Delete old Ex. A. Owners to show site plan with setbacks clearly shown with no less than 30% adjacent homeowners approval
Style of roof	Delete
Two stories only	Change. Two are permitted if VMU, with <u>maximum</u> height of 32 feet. This includes roof line.
Gross building cannot exceed 40,000 sq ft	Gross building cannot exceed 45,000 sq ft, not including compatibility standards, drainage ways, flood plains, and water quality setbacks.
Trash restrictions	As required in Subchapter E
No signs	Painted only with or without soft lighting. No kinetic or moving signs.
Security patrols	24 hour video surveillance if commercial use
New codes/ordinances must be met	No change.
Covenant violation permits prosecution	Violations permit prosecution and penalties of not less than \$10,000 for each infraction.
Invalidation of any one part of the covenant by legal means does not invalidate remainder.	No change
City Council can modify, amend or terminate with a three quarter vote	Requires a super majority to modify, amend, or terminate this covenant.
	No ingress or egress at Schleffer Avenue

May 21, 2012

Type of Business	Amended Zoning Code
Administrative/business office	LO (Limited Office)
Art Gallery	Permitted
Art Workshop	Permitted
Consumer Convenience Services	NP
Medical Offices (5K sq ft or less)	NP
Medical Offices (exceeding 5K sq ft)	NP
Professional Office	Permitted
Software Development	Permitted
Special Historic Use	Conditional
Community Garden	Permitted
Urban Farm	Permitted

Legend: NP = not permitted



**From:** KEARBY FEHR  
**Sent:** Monday, May 21, 2012 12:20 PM  
**To:** Meredith, Maureen  
**Subject:** NPA-2011-0012.01 - 4020 Airport Blvd.

To: Planning Commission  
Re: 4020 Airport Blvd  
Case #: NPA 2011 0012.01  
Date: May 22, 2012

Kearby Fehr  
4018 Crescent Drive  
Austin 78722  
Location: 2 blocks from 4020 Airport Blvd  
Resided since 1956, owner of property.

Dear Members of the Planning Commission:

I understand and agree that a property owner has the right to develop their property, but as a neighbor and property owner who will be impacted, I believe that the change in zoning from LO-V-VP to LR as proposed by the City Staff, or GR as requested by the 4020 owner, would allow more commercial and intensive development than is fitting for a residential area, and would adversely affect my home and my neighbors'.

In particular, I am concerned with an increase in cut through traffic and thus the resulting deterioration of the safety of our streets. In addition, 4020 is a narrow tract which backs up to a creek which could result in flooding and degradation of the water quality.

I support retaining the zoning LO-V-NP, and removing the restricted covenants only if replaced with an amended restrictive covenant.

Thank for considering this request:

Kearby Fehr  
4018 Crescemt Drive

**From:** margaretmills  
**Sent:** Monday, May 21, 2012 1:42 PM  
**To:** Meredith, Maureen  
**Subject:** NPA-2011-0012.01 - 4020 Airport, AND - C14-83-307(RCT) - 4020 Airport

To: Planning Commission

Re: 4020 Airport Blvd.

Case #: NPA 2011 0012.01, and C14-83-307(RCT) - 4020 Airport

Date of Meeting: May 22, 2012

From: Margaret Mills  
1704 East 40th Street, Austin, Texas  
Home phone: 600-4741

(NOTE: I am 2 blocks from the 4020 Airport Blvd. tract, I have owned my home for 22 years,

and I was a member of the Cherrywood Neighborhood Land Use and Transportation Committee's Task Force on the 4020 Airport rezoning request in March 2012)

Dear Members of the Planning Commission,

I understand and agree that a property owner has the right to develop their property, but as a neighbor and property owner who will be impacted, I believe that the change in zoning from LO-V-NP to LR (as proposed by the City Staff), or GR (as requested by the 4020 owner) would allow more commercial and intensive development than is compatible with a residential area, and would adversely affect my home and household.

In particular I am concerned with:

- 1) an increase in cut-through traffic through this residential neighborhood, between Airport Blvd, 38-1/2 and IH-35, and the resulting deterioration of the safety of our streets.
- 2) the tract appears to contain the headwaters to a tributary of Boggy Creek, with ground water seeps and a possible sinkhole, and most development could cause degradation of water quality downstream
- 3) the tract also contains many feet of supplemental fill, which would have to be removed for development, resulting in the overall elevation to fall into the 100-year flood plain, and increasing the risk of flooding to neighboring properties.

I support keeping the zoning LO-V-NP, and removing the restricted covenants only if replaced with an amended restrictive covenant.

Thank you for your attention to my concerns.

Margaret Mills

**From:** LDewitt  
**Sent:** Monday, May 21, 2012 1:47 PM  
**To:** Meredith, Maureen  
**Subject:** NPA-2011-0012.01 - 4020 Airport

To: Planning Commission  
Re: 4020 Airport Blvd  
Case #: NPA 2011 0012.01  
Date: May 22, 2012

Lisa Fuka  
4012 Cherrywood Rd  
Austin, Texas 78722

Dear Members of the Planning Commission,

I live down Sheiffer and around the corner from 4020 which I pass by at least 4 times daily. We have lived here for 16 years. This has been the worst 18 months of living in Cherrywood because the neighborhood association tends not to listen to the neighborhood but only to the token few who show up at meetings. Our neighborhood association reports that it represents 1600 homes and business. The most well attended neighborhood meeting that I know of was held last week where just over 50 people attended. This represents less than 3 percent of our "buildings" and probably less than 2% if not 1% or our residents especially if you take into account some families were represented by 2 people. The people who are most concerned and have a vested interest because it is in their area about the 4020 site, have done an excellent job of polling residents, looking at properties that have already been built out and those that are available for sale, and at what are the possibilities with the property with the current zoning and a list of amendments they came up. This is not the same group as the CNA Task force list but a group of concerned neighbors and citizens of our community who will be most impacted.

I understand and agree that a property owner has the right to develop their property, but as a neighbor and property owner whose family will be impacted, I believe that the change in zoning from LO-V-NP to LR as proposed by the City Staff, or GR as requested by the 4020 owner would allow more commercial and intensive development than is fitting for a residential area, and would adversely affect our home and family.

I believe that changing the zoning is irresponsible. The change is being requested not to facilitate in developing the property but selling it. I do not understand why the property owner does not come up with a plan to develop it and then apply for the zoning change. Isn't this request for change like a cart before a horse?

With the proposed changes I am really concerned with:

- 1) an increase in cut through traffic and the resulting deterioration of the safety of our streets.
- 2) the tract is narrow, backs up on a creek and intensive development could cause flooding and degradation of water quality downstream)
- 3) the quality of allowable businesses
- 4) Developing something new when there is already space available in our area that has been sitting vacant or unused for years?

I support keeping the zoning LO-V-NP, and removing the restricted covenants only if replaced with an amended restrictive covenant.

Thank you.  
Lisa Fuka

**From:** Kate Lawler  
**Sent:** Monday, May 21, 2012 3:46 PM  
**To:** Meredith, Maureen  
**Subject:** NPA-2011-0012.01 - 4020 Airport

To: Planning Commission  
Re: 4020 Airport Blvd  
Case #: NPA 2011 0012.01  
Date: May 22, 2012

*From: Kate and Alex Kollaros  
Location: 4003 Crescent Dr. (less than 2 blocks from 4020 Airport Blvd.)  
Background: We bought this house 3 years ago and love the quiet and very walkable neighborhood.  
We now have a 1 year old son as well, with whom we walk frequently.*

Dear Members of the Planning Commission,

We understand that a property owner has the right to develop their property, but as neighbors and property owners whose families will be impacted, we believe that the change in zoning from LO-V-NP to LR as proposed by the City Staff, or GR as requested by the property owner, would allow more commercial and intensive development than is fitting for a residential area, and would adversely affect our home and family.

We are concerned about increased noise and light pollution, as well as the safety of our streets (and the children who live nearby). We are also concerned about the property values in the neighborhood, and how they would be impacted by a development that is not neighborhood friendly. It appears that there is limited demand for development in the area (the businesses further southeast on Airport have significant vacancy), and none of the existing businesses along this portion of Airport Blvd are very neighborhood friendly. Finally, the tract is narrow, backs up on a creek, and intensive development could cause flooding and degradation of water quality downstream.

We support keeping the zoning LO-V-NP, and removing the restricted covenants only if replaced with an amended restrictive covenant.

Sincerely,

Kate and Alex Kollaros



**From:** Janet Evans  
**Sent:** Monday, May 21, 2012 7:15 PM  
**To:** Meredith, Maureen  
**Subject:** NPA-2011-0012.01 - 4020 Airport  
**NPA-2011-0012.01 - 4020 Airport,**  
and send to:

To: Planning Commission  
Re: 4020 Airport Blvd  
Case #: NPA 2011 0012.01  
Date: May 22, 2012

Janet Rybiski Evans  
4006 Crescent Drive  
Austin TX 78722

I love three (3) short blocks from the proposed site and have live in my house since 1984. I fear that further development of this small piece of property will increase cut thru traffic on my street and others that are close to 4020 Airport Blvd. I have four grandchildren who often ride their bicycles up and down Crescent Drive which is a quiet little short street. Neighbors walk their dogs and moms stroll their babies.  
Dear Members of the Planning Commission,

I understand and agree that a property owner has the right to develop their property, but as a neighbor and property owner whose family will be impacted, I believe that the change in zoning from LO-V-NP to LR as proposed by the City Staff, or GR as requested by the 4020 owner would allow more commercial and intensive development than is fitting for a residential area, and would adversely affect my home and family.  
In particular I am concerned with:

- 1) an increase in cut through traffic and the resulting deterioration of the safety of our streets.
- 2) the tract is narrow, backs up on a creek and intensive development could cause flooding and degradation of water quality downstream)

I support keeping the zoning LO-V-NP, and removing the restricted covenants only if replaced with an amended restrictive covenant.

Thank you.  
electronic signature  
Janet R. Evans  
4006 Crescent Drive  
Austin TX 7872

**From:** Greenleaf, Gale R  
**Sent:** Tuesday, May 22, 2012 12:37 PM  
**To:** Meredith, Maureen  
**Subject:** NPA-2011-0012.01 - 4020 Airport

Dr. Gale Greenleaf  
1714 Giles St.  
Several blocks from Airport Blvd.  
28 years in residence, 3 indoor/outdoor cats

Dear Members of the Planning Commission,

I understand and agree that a property owner has the right to develop his or her property, but as a neighbor(s) and property owner whose life and safety will be impacted, I believe that the change in zoning from LO-V-NP to LR as proposed by the City Staff, or GR as requested by the 4020 owner, would allow more commercial and intensive development than is fitting for a residential area, and would adversely affect my home, privacy, noise, and traffic. I have noticed a huge increase in noise and traffic since the Mueller development began. I never used to be able to hear Airport traffic from my house and can now hear it all too well.

I am concerned with the probability of an increase in cut through traffic and the resulting deterioration of the safety of our streets.

I also think that the tract is narrow, it backs up to a creek, and intensive development could cause flooding and degradation of water quality downstream. I also think it is extremely unfair to the neighbors who back up to the property in question who bought their homes with the covenant in place and the expectation that they would not have commercial development in their own back yards.

I support keeping the zoning LO-V-NP, and removing the restricted covenants only if replaced with an amended restrictive covenant.

Thank you.

Gale R. Greenleaf